

LOBBY REGISTRATION ACT LATE FILING FEES

Late filing fees are assessed by the Department of State's Bureau of Elections for the late filing of an original Registration or a Financial Report Summary required under Michigan's Lobby Registration Act (1978 P.A. 472, MCL 4.411 to 4.431).

Registration

Lobbyist: An original registration for a Lobbyist must be received by this office within 15 calendar days after the Lobbyist makes expenditures for lobbying in excess of the registration thresholds under the Act. A late filing fee will be assessed if an original Lobbyist Registration is filed more than 15 calendar days after the active date (Item 5) of the form.

Lobbyist Agent: An original registration for a Lobbyist Agent must be received by this office within 3 calendar days after the Lobbyist Agent receives compensation or reimbursement for lobbying in excess of the registration thresholds under the Act. A late filing fee will be assessed if an original Lobbyist Agent Registration is filed more than 3 calendar days after the active date (Item 5) of the form.

The assessment of the late filing fee is based on the information provided in Item 5 of the Lobby Registration form. It is important to have an accurate active date on the original registration form. An amended Registration form can be filed to correct an error in the active date.

Financial Report Summary

A Financial Report Summary is required by every Lobbyist and Lobbyist Agent registered under the Act on or before 4:00 p.m. on August 31 and January 31. A late filing fee will be assessed if a Financial Report Summary is received by this office after the filing deadline.

A Financial Report Summary indicating a registrant was eligible for termination before the due date of the Financial Report Summary can be submitted with a request for a waiver of a late filing fee based on a registrant's termination date.

Ensuring a Timely Filing

A Registration or Financial Report Summary that is sent by registered or certified mail and postmarked two or more days before the filing deadline will be accepted as timely regardless of when it arrives. A Registration or Financial Report Summary that is delivered by any other means must be received on or before the filing deadline to avoid late filing fees.

Requesting a Good Cause Waiver

Late filing fees may be waived/voided if the circumstances surrounding a registrant's late filing meet the specific criteria specified under the good cause waiver provision. **The unfiled report must be received by the Bureau of Elections before any consideration can be given to the waiver request.**

There are two categories of good cause:

First Category of Good Cause

- Incapacitating physical illness
- Hospitalization
- Accident involvement
- Incapacitation for medical reasons
- Death

Second Category of Good Cause

- Loss of records due to fire, theft, flood or similar reason.
- Difficulties in the transmission of the filing due to bad weather or strikes involving transportation systems.

Categories of Persons Affected

These causes must relate to persons in the following categories:

- A person required to file. This will be either the individual lobbyist agent or the person authorized to sign on behalf of a lobbyist or lobbyist agent which is not an individual.
- A person whose participation is essential to the preparation of the report or registration, (not a person who functions in a clerical fashion for the lobbyist or lobbyist agent).
- A member of the immediate family of these persons.

The Waiver Request

The request must be submitted to the Bureau of Elections in writing and must contain the following:

- The reason for the request that fall into a category provided above.
- Documentation such as a letter from a physician or a police report providing the general nature of the good cause reason and the relevant dates the person was prevented from filing (Please do not include sensitive medical records or other personal information with a request).
- The signature of the person required to sign the registration or report referenced in the request.

Questions?

If you have any questions, please do not hesitate to contact this office.

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